



George Latimer  
County Executive

Office of the County Attorney

John M. Nonna  
County Attorney

APPLICATION GRANTED. The Court will separately docket the Seventh Revised Civil Case Discovery Plan and Scheduling Order.

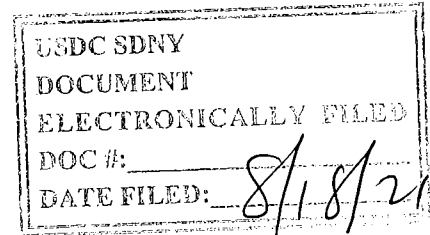
The Clerk shall terminate the letter motions. (Docs. ##81, 82).

SO ORDERED.

  
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Vincent L. Briccetti, U.S.D.J., 8/18/2021

August 17, 2021

Honorable Vincent L. Briccetti  
United States District Judge  
The Hon. Charles L. Brieant Jr.  
Federal Building and United States Courthouse  
300 Quarropas Street  
White Plains, NY 10601-4150



Re: *Styles v. Westchester County*  
18-cv-12021 (VB)

Dear Judge Briccetti:

I represent Westchester County ("County" or "Defendant") in the above-referenced action. Defendant has been placed in the position of having to request an extension of the **August 26, 2021** fact discovery deadline and other discovery deadlines because Plaintiff's counsel stated that Defendant cannot depose Plaintiff before August 26, 2021 and that "no deposition will occur until after September 14, 2021" due to her alleged medical condition. In addition, Plaintiff's counsel has failed to provide the documents and information requested and to which he agreed on July 7, 2021.

Although Your Honor stated on June 8, 2021 that "[N]o further extensions will be granted," if fact discovery concludes without Defendant being able to depose Plaintiff through no fault on the County's part, it would severely prejudice Defendant.<sup>1</sup> Plaintiff's counsel said that, due to his client's unavailability to be deposed before August 26, 2021, he would be requesting an extension of the discovery deadline but he has not yet done so. On August 13, 2021, Plaintiff's counsel said that he was out of the country and could not request an extension until August 17, 2021. Today, Plaintiff's counsel is back and we have been communicating via email but a request has not yet been made.

<sup>1</sup> This would be the Seventh Revised Civil Case Discovery Plan and Scheduling Order in this case, out of which five were made by Plaintiff and two by Defendant because of Plaintiff's failure to comply with discovery. See, Dkt. Nos. 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 72, 73, 74, 75, 76, 77, 78 and 79. Although the parties did "meet and confer" more than 6 weeks ago, Plaintiff's counsel has yet to correct, *inter alia*, the discovery deficiencies in Defendant's April 1, 2021 or June 8, 2021 letters although he has agreed to provide both documents and information.

I am attaching a proposed Seventh Revised Civil Case Discovery Plan and Scheduling Order.

Should Your Honor's staff have any questions, I can be reached at (914) 995-3577. Thank you for your consideration of this request.

Respectfully,  
JOHN M. NONNA  
Westchester County Attorney  
By: s\ Irma Cosgriff  
Irma Cosgriff  
Associate County Attorney

Brian Robinson, Esq. VIA ECF